

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Daniel J. Stallone, Code Compliance Official: 797-1121

SUBJECT: Resolution

AFFECTED DISTRICT: District 3

TITLE OF AGENDA ITEM: A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 97-075 FROM \$31,750 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The property owner was cited for failure to maintain garbage and trash removal service. The violation has been corrected at this time. Mitigation is now acceptable.

PREVIOUS ACTIONS: Not applicable.

CONCURRENCES: The respondent agreed with the recommendation of the Special Master.

FISCAL IMPACT: Not applicable.

RECOMMENDATION(S): Motion to approve the resolution.

Attachment(s): Resolution, Mitigation Request Summary and Special Master recommendation.

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE COMPLIANCE LIEN IN CASE NO. 97-075 FROM \$31,750 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, SALVATORE AMADEO and CHRISTINE AMADEO, requested a mitigation of a Code Compliance lien from \$31,750 to \$1,000; and

WHEREAS, the Town of Davie Code Compliance Division has determined that the violation of Code Section 9-22 was corrected; and

WHEREAS, the Town of Davie Code Compliance Special Master suggested that based upon mitigating circumstances, the mitigation of the original lien be from \$31,750 to \$1,000; and

WHEREAS, SALVATORE AMADEO and CHRISTINE AMADEO, and the Code Compliance Special Master are agreeable to such mitigation.

WHEREAS, the Town Council is agreeable to such mitigation.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That the certain Code Compliance lien arising out of Case 97-075 in the amount of \$31,750, against SALVATORE AMADEO and CHRISTINE AMADEO, is hereby mitigated in amount to \$1,000.

SECTION 2. That this mitigated amount of \$1,000 be paid to the Town within 45 days of the enactment of this Resolution. Should this amount of \$1,000 not be paid within the specified time the lien shall revert to the original amount of \$31,750.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2002

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2002

MITIGATION REQUEST SUMMARY

DATE: March 12, 2002

NAME: SALVATORE AMADEO and CHRISTINE AMADEO

ADDRESS: 8010 SW 19 Court

CASE: 97-075

SUMMARY:

Date respondent cited:	February 28, 1997
Date of Final Order:	March 20, 1997
Non-Compliance Hearing(s):	August 5, 1997
Fine/Lien(s) Imposed:	\$31,750

Date of Mitigation Hearing by Special Master:	February 19, 2002
Mitigation amount recommended by Special Master	\$ 1,000
Amount the respondent desires to pay:	\$ 1,000

The property owner was cited for the following violation of the Town of Davie Code:

1) Section 9-22: Failure to maintain garbage and trash removal service

The property owners, SALVATORE AMADEO and CHRISTINE AMADEO, were cited for failing to maintain garbage and trash removal service. At this time, the violation has been corrected and mitigation is possible.

The mitigated amount will cover the Town expenses and the recommendation of the Special Master as to the mitigated amount of \$ 1,000 should be considered and approved by the Town Council and the respondent given 45 days to pay the mitigated amount.

DANIEL J. STALLONE
CODE COMPLIANCE OFFICIAL

LAW OFFICES
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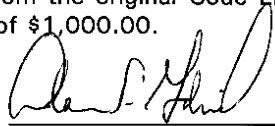
February 21, 2002

Daniel Stallone
Code Enforcement Supervisor
TOWN OF DAVIE
6591 Orange Drive
Davie, FL 33314-3399

RE: Mitigation Request for Code Enforcement Case No. 97-075
TOWN OF DAVIE v. SALVATORE & CHRISTINE AMADEO

Dear Mr. Stallone,

At the Town of Davie Special Master Hearing held on February 19, 2002, the above referenced Mitigation Request was heard. Upon testimony heard and the evidence received, it is my recommendation, as Special Master and after having considered the special considerations and findings regarding this matter, that the Town of Davie Council accept the request for mitigation from the original Code Enforcement lien amount of \$31,750.00 to the reduced sum of \$1,000.00.



ALAN L. GABRIEL, Esquire
Special Master

ALG/kgc/davie/97-075.mit